

TUESDAY.—We take it for granted that it is the wish of all citizens of this district, whatever their former political classification may have been, to avoid any division in regard to the elections to take place on the first Wednesday in next month. We may also be permitted to assume two other things in connection therewith—first, that one of the Senators having been chosen from New Hanover County in the person of Mr. Davis, no claims will be urged in favor of selecting a member of the House of Representatives from the same county at this time; and second, that as the choice for Senator has fallen upon a member of the former opposition party in this State, and of the party in a decided minority in this section, therefore by consent the choice for member of the House should be conceded to the Democratic party, to be made out of its own members, or at least out of those who were members of the Democratic organization, while it was deemed necessary to draw the lines of party discipline.

As for elector, it is proper to remark that, so far as we can learn, the position will be strictly one conveying a personal compliment to the person called to occupy it, not an office conferring any powers or requiring the discharge of any duties. Whatever under other circumstances we might urge as a reason or as reasons for preferring some other person, under certain contingencies, to Mr. Stephens, we feel assured that Davis and Stephens will be the choice of the great majority of the people of the Confederate States. This being the fact and it being very desirable that this choice should be perfectly unanimous, we therefore feel assured that it will be made unanimous. We trust that it may be so in the fullest sense, and without any opposition.

This being the fact, we must suppose that the choice of elector being a mere personal compliment, can be the more readily disposed of.

We have published all communications or suggestions of names that have been made to us in reference to Congressmen and electors. So far, no name has been proposed in any communication to this paper, for the office of Congressman, save that of T. D. McDowell, who for elector, was those of Wm. McL. McKoy, Wm. H. Haigh and J. G. Shepherd, Esqs. The first gentleman named by Haigh is the last named of Cumberland. After the 20th day of this month we will publish no communications bringing forward names as candidates, save as advertisements. Of course all authoritative announcements of candidates must at any time be paid for as advertisements.

By the 20th or very soon after, we trust that this paper may have become so far understood as to enable us to publish an electoral ticket for the State, an also to announce with the authority of common consent, a candidate for Congress in this district.

Among the queer things that we met with now and then, we may notice a question addressed by "A citizen" to the Editor of the Raleigh Standard, together with the editor's answer thereto.

The question consists of two clauses, as follows: "Has the Legislature in extra session, a right to elect Senators to Congress? and if it has not the right, can an act of the Confederate Congress give it this right?"

There are two questions or clauses of one question, are answered distinctly in the negative by the Standard.

Now the real question is whether the machinery of the permanent government shall be started at all under the constitution, for it is apparent that provisional expedients have had to be adopted in order to effect the preliminary steps. The provisional constitution will be in operation for one year after its adoption by the organization of the original confederacy, and until the expiration of that year the permanent constitution will not have any power or effect, yet on the first Wednesday of next month electors of President and Vice President and members of the House of Representatives will certainly be chosen, on a day fixed, not by the permanent Congress but by the provisional Congress, under the provisional constitution under which we are now living, which, in regard to the election of Senators, contains neither restriction nor provision, inasmuch as the provisional government has no Senate. All the elections are anticipatory and none of them made at the time or in the manner prescribed by the Congress under the permanent constitution, since there is yet no such Congress to prescribe such time or manner. Neither is there any such Congress to determine the time of choosing the electors for President and Vice President or the day on which they shall give their votes. All these matters have been regulated by the Provisional Congress as nearly in conformity to the requirements of the permanent constitution as the nature of things would or could admit. It is folly to talk about the violation of the provisions of a constitution not yet in operation; if the election of Senators be invalid, the whole affair is invalid and the idea of organizing the permanent government impossible.

Poor Farnsworth is unhappy. He is at least a humbug, but dog ought not to eat dog, and surely it is something of a dogish business when Frank P. Blair, Jr., turns upon Fremont, and by means of old F. P. Blair, Montgomery Blair, and all the other members of that mean and traitorous family, contrives to stab the "Path-finder" at a time when he is hard enough pushed to find a path out of his existing difficulties.

Fremont is deposed—John Charles has fallen. He has failed, and his hand must be the sacrifice, the jackals and hyenas will worry him, and the unclean birds will come in for the unclean pickings, not having the fear of Jesse before their eyes.

McClellan is rendered more cautious by the fate of his predecessors. He is a short man already, and cannot afford to be abridged by the length of his head, therefore he is trying to avoid the encounter with the Confederates. He is trusting to General Winter to operate against our insufficiently protected forces. Well, the stocks of goods at the South are not very full, but of the stock of every household the army is getting a full share, and our brave men will weather this winter pretty fairly and without serious suffering, even if they do not go into winter quarters in Washington or Baltimore or both.

In connection with this matter of winter clothing for the army, we would refer our readers to the advertisement of Mr. Devereux, Assistant Quarter Master, Raleigh, as also to the following from the Raleigh Standard:

WINTER CLOTHING FOR SOLDIERS.—We are authorized by the Quartermaster at Raleigh (says the Raleigh Standard) to state that the department will receive and pay for all cloth suitable for men's winter wear in the belt. Also, blankets. This is a good offering for persons in the various Counties to collect cloth and blankets, and send them to the Quartermaster. They will thus engage in a patriotic work, for which they will doubt be fairly paid. It is persons sending these things should mark their names and the contents of each box or bundle, as the articles must be received before being paid for.

It will be seen that Major Kenan has accepted the nomination for Congress tendered him by the Convention for the third district, which met in Goldsboro' on the 1st. We need not say that the nomination is a good one, as all acquainted with Maj. Kenan's character and ability will readily admit.

WE ARE PLEASED to learn that Dr. Wm. D. Somers of the Lillington Rifle Guards, Company C, first regiment N. C. State Troops, and Surgeon of that company, has received a commission from President Davis as an Assistant Surgeon in the Provisional Army of the Confederate States, and has been ordered to report for duty at the White Sulphur Springs.

This is an appointment eminently "fit to be made," and one that will give satisfaction to the many friends of the worthy appointee.

WE LIKE much the proclamation issued by His Excellency, Henry T. Clark, Governor of North Carolina, dated on the 3rd instant, and prohibiting the exportation beyond the limits of this State of all bacon, pork, beef, leather, men's shoes, woolen goods, jeans, indies and blankets—except through the orders of the proper officers of the Confederate Government, or of the State Government.

The object of this is to strike at speculators and monopolists. The kind of speculators and monopolists at whom it will strike mainly and most directly, will be men who operate by travelling through the country towns and buying up the stocks at high prices, with the view of selling them at extortionate ones as soon as they and their confederates have obtained a monopoly. The head-quarters of this movement appears to have been and still be at Richmond, although we do not suppose that it is confined to Richmond, still Richmond and Petersburg have been the main centres from which the thing has gone abroad throughout this State. As an instance, we have been told by a gentleman, a druggist in this place, that over and again these people or their agents, just arrived at the hotel, would come into his store and enquire for some leading drug or chemical, asking if he had any—Yes—How do you sell it? At such a price. I'll take all you have; how much have you got? Not enough to sell to you, significantly answered, generally ended the colloquy.

In hundred of neighborhoods the existing stocks of goods were ample to have met the wants of the community without any scarcity, and the people would willingly have paid a liberal advance to the holders of shoes, shirtings, blankets and such like. But along comes the agent of some monopolizing combination, and buys up everything at once, and then, if these things even come back to that neighborhood it will be at one hundred per cent. upon the price which the speculator paid to the local dealer.

We only fear that the proclamation is a little too late to be as valuable as it would have been before the operations of these monopolists had already stripped so many of our towns and villages of goods to concentrate them in their own hands, for sale at their own prices.

NORTH CAROLINA CAVALRY.—The Regiment of North Carolina Cavalry stationed at "Camp Beauregard" in Warren County, has received marching orders, and will leave for the seat of war in Virginia to-morrow. They are a noble body of men, splendidly mounted and equipped, and no doubt well drilled. They will make their mark—sure.

There are indications that point to sharp work on the main line of the Potomac in the course of the next ten days. The ball has indeed commenced rolling along the Northern coast of our State. We have an instalment of stirring news from that quarter to-day, and may venture to predict that there is more coming, when our North Carolina boys of the 8th Regiment, will have a chance to show their hands, and assist in another Hatteras disaster—the disaster, this time, being to the enemy.

Chicamacomico Beach, or Banks, is an extension of Hatteras banks, only separated by Ocracoke Inlet, we suppose. The north end of Chicamacomico beach is terminated on the east survey map by Loggerhead Inlet, immediately north of which is New Inlet, now almost closed. The beach cannot be much more than twenty miles long.

WE HAVE been kindly shown a private letter dated on the 2nd instant, from an officer of the 8th Regiment N. C. State Troops, now stationed at Camp Raleigh, Roanoke Island, from which we make the following extract:—

"We had quite an excitement yesterday evening and last night in our camp, caused by the following circumstances: We received information that the Yankees were landing some fifteen miles below this island, whereupon Col. Wright of the Georgia regiment, now in command of this island, (nearly some half mile above us) got ready some three or four gun boats, with some three hundred men, and hurried down to meet them. Some two hours after Col. Wright's gun boats passed our campment down the Sound, the engagement commenced. Some twenty-one rounds were fired on both sides, when the Yankees surrendered. The capture amounts to the Steamer Fanny of New York, with 8 officers, 41 privates, 2 rifled cannon, 1 field piece, tents, blankets, shoes, and a quantity of bacon, flour, and other stores, so that the ball has now commenced to roll, and we are all glad of it as we have no desire to remain inactive here all the time."

We further learn, that important matters are supposed to be on foot, but what they are, or how it is proposed to carry them out, we do not feel at liberty to say. We dislike to complain of our cotemporaries, and we are sticklers for the freedom of the press, but such freedom, like all other freedom, ought to be so used as not to be abused, and we must confess that the perfect looseness with which our Norfolk and Petersburg cotemporaries publish communications, not only of what has been done, but also of what is proposed to be done by our forces, strikes us as being highly objectionable, under existing circumstances. A proper reticence is absolutely demanded and ought to be practised by all conductors of newspapers. Now in regard to matters and things on the south, we have been for several days acquainted with some contemplated movements, but we have not felt at liberty to give publicity to anything foreshadowing the plans of our forces, when such might by any possibility interfere with their success.

LAST EVENING a meeting was held at the Court House, to take measures to have the Town represented in the Industrial Fair and Business Convention to be held next week at Macon, Ga.

Much good may be effected by these meetings if they contain a full and fair representation of the interests and classes invited to be present. We must manufacture or suffer severely. It is our only chance for substantial relief during war, or real independence during peace. Our stocks of candles, and other materials for making light, cotton and woolen goods, soap, starch, oil, refined sugars, iron, shoes and other necessary articles are getting short, and can only be replenished by our going to work and making them for ourselves. We have the materials. We have the Atlantic Ocean to get salt out of, and that is the basis of bleaching chemicals. By a proper consultation and exchange of ideas at Macon, people may find out where needed components may be obtained, or articles of produce may be sold.

There will be a mammoth World's Fair held in London, next year. Entering the diplomatic family of nations, (or we will be recognized by that time) it is proper that we should show to our new associates what our productions are—that we should bring these productions to the notice of Europe, especially, with which we seek to establish a direct trade, and that we should also arrange some system of exchange and credits by which to conduct such trade.

We would call the attention of our railroad authorities to the propriety of carrying delegates and specimens of goods to and from Macon on favorable terms, if, indeed, any charge is made.—*Daily Journal, 8th inst.*

List of Delegates.
Dr. T. C. Worth, the chairman of the meeting held in the Court House on Monday night last, has appointed the following delegates to the Convention to be held at Macon, Georgia, commencing with Monday of next week:—

Thos. D. Walker, O. G. Parsley, Henry Kutt, Alfred Martin, Stephen Jewett, Dr. A. J. DeLester, Walker Meares, Col. John Meares, W. A. Wright, J. H. Lawson, A. B. Hall, George Myers, S. B. Rahn, J. H. Plummer, J. G. Burt, Edward Kidder, P. C. Dickenson, M. Newhook, B. E. Elers, J. H. Chabourn, Geo. Harris, George Darby, C. S. Van Arman, M. McLean, W. H. McRae, B. F. Mitchell, T. O. Miller, E. Murray, B. F. Grady, and L. A. Hart.

Backsides and Forwards.
—We think there should be some ancient laws enacted to restrain the abuses of people designated as above.—We rather think that a necessity may arise for a revival some municipal regulations upon that subject. The price of provisions is high enough, in all conscience, at first hand, and every dollar's worth can find a ready sale in market to actual customers, without the intervention of third parties. If A, with a family, has been in the habit of going to market at six o'clock in the morning, but when he goes there now, finds that everything has been bought up and only to be got at an enhanced cost, at second-hand. A will, of course, feel that the interposition of the third party is at the best impertinent and unnecessary. It, besides, he finds that the forerunner has gone beyond the limits of town, to intercept articles, on their way to market, that he may thus levy tribute on them, he will feel the thing to be still more unnecessary and unjust. Mr. Hatteras is an unnecessary officer—one that can be dispensed with, one that ought not to be encouraged, and will not be permitted. We know cases wherein this thing has worked a serious injury, and has risen to the dimensions of a grievance.

Our legal friends are not doing much about now, we think. We find not some of them employ his leisure in hunting us up, from the stores of his memory, or the resources of his library, a good, stout and practical law to be enacted for the purpose of stopping the objectionable practices to which we have referred.

From the Fayetteville Observer.
The course of our worthy President, Jefferson Davis, of Mississippi, Vice President, A. R. Stephens, of Georgia, and of the Hon. Thomas J. McDowell, of Bladen, meets the entire approbation of the voters of this County, and whilst we hold ourselves in readiness to cast our ballots for them, we would be pleased to vote for our townswoman, William H. Haigh, Esq., for Elector of this 4th Congressional District.

CUMBERLAND.
We copy the above in accordance with request, merely remarking that the gentleman named is a very good and worthy man.

We would also, in this connection, take occasion to state that a communication to this paper, already referred to, and also signed "Cumberland," after alluding to the acceptability of Mr. McDowell for Congress, also added that Wm. McL. McKoy, Esq., of Fayetteville, will be acceptable as elector.

The two "Cumberlands"—one writing to the Journal and the other to the Observer, are different persons, as we have reason to know, and both recommend very worthy gentlemen, whose names we thus give to the public "without note or comment."

P. S. Since the above was in type we have been requested to announce the name of Jesse G. Shephard, Esq., late a judge of the Superior Court. This announcement, we believe, is made without Mr. Shephard's knowledge. Mr. Shephard is too well known to the people of the district to require any introduction.

As we know of no one down this way who aspires personally, or whose claims seem to be urged by his friends, we trust that the people in the upper end of the district will arrange the matter quietly and satisfactorily among themselves.

An Eventful History.

On Sunday morning last, Captain Fritzinger of the schooner Fanny Lee, of Nassau, New Providence, arrived here, where he resides. With Captain Fritzinger came Mr. Shepherd, a native of Charleston, South Carolina, but for many years a resident of this place. Mr. Shepherd shipped on board the brig Sarah Star, and was on board of that vessel when she was captured by the U. S. blockading steamship Wabash. The account he gives of what occurred since he left this port is as follows:—

The Sarah Star, loaded principally with naval stores by Messrs G. C. & W. J. Munro, went to sea over the Cape Fear on the 28th of July, having cleared for Liverpool. About three o'clock on the afternoon of the same day, she was captured by the Federal steamer Wabash. The Sarah Star was the steamer for three hours, and then for her. When captured, the whole crew, with the exception of the Captain, cook and cabin boy, were taken on board the Wabash and carried into Hampton Roads. A prize crew was put on board the brig, which was sent to New York. On the arrival of the Wabash at Hampton Roads, Mr. Munro was allowed to proceed to Washington. The balance of the men were retained on board the Wabash for about a month, when that vessel was ordered to go to Hatteras, and her prisoners were sent up to Baltimore, where all the crew of the Sarah Star (six men) took the oath except Mr. Shepherd, who refused, and was imprisoned in Fort McHenry for nearly three weeks, when he made an attempt to escape, and was taken and placed in irons for ten days, at the expiration of which he was turned out destitute of money, clothing or means. In Baltimore he found a vessel bound for Nassau, and got a passage on board of her to that port, where he fell in with Captain Fritzinger, of that place, who kindly took him on board his vessel and provided for his immediate necessities. Captain Fritzinger and Mr. Shepherd left Nassau in the latter part of September, and got into a Southern port several days since. They both arrived home on Sunday morning, as previously stated.

Mr. Shepherd speaks of the treatment of prisoners by the Federalists as being extremely hard. They gave them hardly enough food to sustain nature, and that of the coarsest. He says that "from the time of his capture and transfer to the Wabash, until his discharge, he enjoyed the luxury of no other bed than the bare planks afforded, and he feels the effects yet."

There were other prisoners on board the Wabash besides the crew of the Sarah Star, among them John Marshall of the privateer Dixie, who had been captured on board the schooner Mary Ellis, a prize of the Dixie. It is believed that Marshall was sent to Fort LaFayette. At Fort McHenry he only recollects to have seen one person, a prisoner, whom he recognized even by sight and that was Marshall Kane, former head of the police of Baltimore, but deposed by the Lincolnite military authorities and sent to Fort McHenry.

Mr. Shepherd mentions another matter which is proper to be stated as a warning to our privateers. As already stated, the Yankee schooner Mary Ellis was a prize to the privateer "Dixie." When the prize crew was put on the M. E., the cook was kept on board to cook for said prize crew. After the capture, while on board the Wabash this cook, a colored fellow, made his brag that if the M. E. had not been taken by the Wabash he would have had her whole crew poisoned with an hour. It will be always advisable to keep a look out for this kind of character.

Such is the statement of Mr. Shepherd, corroborated by Captain Fritzinger, so far as the facts came under his cognizance. The Captain met him as stated, at Nassau, in a most destitute condition, without shoes and with no other clothing than a shirt and pants, so far dilapidated as hardly to meet the requirements of modesty. As a townswoman and brother sailor from a Southern port, he felt it only right to do by Mr. Shepherd as he would have liked others to have done by him had the case been his own. He advanced means for clothes and other necessities, his course in doing so having subsequently been fully approved by his employers.

Mr. Shepherd is staying at the Sailors' Home, Captain Fritzinger's family live here and have done so for years, although the Captain will be forced to go South very soon to join his vessel, which got into a port a good way down. There are one or two matters contained in Mr. Shepherd's statement to which we would not give publicity, were it not that we know Mr. S. is willing to qualify as to their truth.

ELIZABETH TOWN, Oct. 4th, 1861.
I have received from Dr. D. B. Gillespie, 15 double quilted blankets, and forwarded them to Mr. C. B. Robinson in Western Virginia.

Captain of the Federal Transport Steamer Fanny.
The following letter from a reliable gentleman on board the steamer Raleigh, was received by us on Sunday morning. The letter was post-marked Elizabeth City, N. C., Oct. 4th, 1861.

O. S. STEAMER RALEIGH, Oct. 23, 1861.

To the Editors of the Journal:
Dear friends,—I am happy to write you this morning, and have taken a prize. We took it last night just before sunset. It proved to be the U. S. steamer Fanny, just from Hatteras. There were two of our vessels engaged, viz: the steamers Curlew and Raleigh. The steamer seemed to be a store ship for the U. S. squadron. They had any amount of clothing on board, such as great coats, shoes, blankets, &c. I think myself the boat and cargo is worth near \$100,000. We took 45 prisoners. No person killed or wounded on either side. * * * I would like to write you more at length, but have not time.

Truly your friend, S. S. G.

To the Editors of the Daily Journal:
I take the liberty to hand you herewith a copy of the proceedings of the Cotton Planters' Convention, held in Macon on the 4th and 5th of July, and to say that an adjourned meeting will be held on the 15th inst., and an Industrial Convention will be held at the invitation of the Chamber of Commerce on the 14th. By reference to the abstract of the census of 1850, prepared by Mr. DeLester, it will be seen that whilst the capital invested in the culture of cotton does not yield as much as five per cent., the annual profit on the capital invested in mining, manufactures and the mechanic arts, was nearly fifty per cent., and the profit on the capital thus invested in Indiana and Illinois was nearly seventy-five per cent. These facts will be brought under the consideration of the Convention to meet in Macon, and I ask the privilege through your Journal to suggest the propriety of a full representation of each and all of the persons engaged in manufactures in the Confederate States, with samples of the articles produced by them.

Very respectfully yours,

DUFF GREEN.

The above communication from General Duff Green will explain itself, and we append a few remarks mainly for the purpose of requesting our exchanges throughout this State to call attention to the subject at once, as the interval between this day and the day of meeting is so short that there is no time to be lost. It is desired that specimens of all kinds of manufactured goods should be exhibited, and we need hardly say that much may be gained in the way of practical information by the attendance of the manufacturers themselves, and their mutual exchange of ideas and comparison of notes.

The Convention of Cotton Planters which met at Macon on the 4th of last July adjourned to meet in the same place on the 15th of this month. It is also the Industrial Fair, and to be in the nature of Mass Conventions, to which all who have any thing to show in the way of manufactures or any suggestions to offer in regard to sustaining the finances of the Confederate States or establishing a *banc* of exchange and credit between the communities of such States, and between them and foreign countries, are invited.

We have read carefully the pamphlet alluded to, of which the greater part, in fact twenty-seven out of thirty-nine pages, consists of "a Communication on the proposed issue of Treasury Notes by the Confederate Government," by Duff Green, Esq. This communication contains an extended argument on the value of convertible Treasury Notes as the basis of currency, or we might say as a currency, and from the experience and ability of the author and the great labor bestowed upon the statistical department will command attention, while the large mass of valuable information which it contains will amply compensate for the time spent in its perusal. The argument in *extenso* is too long for publication in our columns, and too laborious to admit of condensation. At an early day we will publish the summing up, giving the conclusions at which the writer has arrived, and in which he claims to have coincided with Mr. Calhoun, of which distinguished gentleman he had the honor to be the intimate personal and political friend. Mr. Green favors the issuance and circulation as a currency of Treasury notes of convenient denominations, convertible into Confederate stock bearing interest, and says that "The subject of finance and currency was frequently discussed between them, [Mr. Calhoun and myself] and Mr. Calhoun again and again said that an issue of public credit under wise regulations *fulfilling an over issue* was the cheapest and best form of currency." Mr. Green thinks that the system elaborated in his communication will meet all these requirements. Whether it will or not, we are not now prepared to venture an opinion.

Judicial and Constitutional Legislation.

In "A Declaration of Rights made by the Freeman of the State of North Carolina," we find the following:—
"Sec. 4. That the Legislative, Executive, and Supreme judicial powers of government ought to be forever separate and distinct from each other."

And the Constitution of the State, contains the following:—
"Art. 2. That the legislative authority shall be, vested in two distinct branches, both dependent, on the people, to wit: a Senate and House of Commons."

We make these quotations for two objects, namely, to show from the fact, that while the framers of the Constitution, in the Declaration of Rights intended to guard the independence of the judiciary, they also intended to throw the same safeguards around the "separate and distinct" independence of the other powers of government, the legislative and executive: the second quotation is made to show that the legislative authority is constitutionally vested in two distinct branches, both dependent on the people, to wit: a Senate and House of Commons, *not* in three distinct branches, to wit: a Senate, House of Commons, and Convention. This is the Constitution. It stands unabrogated, and yet the Convention, without constitutional warrant, without meeting the constitution fairly in the face, and amending it to suit itself, did legislate, did assume and exercise legislative authority upon matters of ordinary and customary character, not forbidden by the constitution to the legislature, but directly confided to it—did constitute itself a third distinct body, paramount to the two others, in whom only, by the constitution, legislative authority is vested.

Again, it is not a notorious fact that while under the section of the Declaration of Rights above quoted, the separateness and distinctness of the Legislative power is equally guarded with that of the Judiciary, the spectacle has just been presented of a General Assembly, convinced, whether mistaken or not in their convictions, of the necessity and propriety of passing some stay-law to prevent sacrifices of property, yet legislating in fear and trembling, not consulting sufficiently their own convictions, making laws with one eye to the country and another to Judge Richmond M. Pearson, *et al.*, whom it is doubtful whether any law whatever of the kind will please, nor is it probable that any law upon any subject could be framed that gentlemen of great legal acumen and subtlety of reasoning could not find an objection to. In fact, this was probably the true reason why the Convention feared to approach the subject at all, although it was not the reason assigned. Is the legislative power independent under circumstances like these?

We do not care to pursue this subject further. Our remarks are merely suggestive, but we think they will be sufficient to awaken inquiry as to whether, in fact, we live under the constitution; whether our legislative power is independent, separate and distinct, or whether it is made to be subordinate to, and exercise its functions in dread of the judiciary, which holds its veto in *terror* over its head, exercising that power of suspension over the execution of laws, without the consent of the representatives of the people, which, when assumed by any authority, is declared to be injurious to the people's rights and ought not to be exercised. They will also awaken inquiry as to whether, even supposing the independence of the legislative power to remain intact, it has been or is now exercised in this State in accordance with the Constitution, which vests it in two branches: a Senate and House of Commons, while in fact the Convention, without having had the boldness to repeal or change that section so as to vest it in themselves, did openly disregard it, and exercise powers not vested in them, nor openly assumed by them, but sized in a revolutionary and usurping manner, while at the same time this body, so disregarding the Constitution, virtually declares its *impermanence*, with power to meet when it pleases and do what it pleases, so that, in truth, a candid answer as to the Constitution under which we live would necessarily be an unmitigated snarl, until the State learns that the Convention has adjourned *sine die*, for as the thing now stands they are indeed monarchs of all they survey, and against their wishes the Constitution of the State need interpose no barrier.

We do not wish to be understood as reflecting upon the personal honor or patriotism of any man or men, for we mean nothing of the kind, but do call attention to a state of things which we must characterize as amounting to judicial and conventional legislation as opposed in spirit to the independent exercise of the legislative authority of the two branches in which, by the constitution, such authority is vested, to wit: a Senate and House of Commons.

On Saturday last, news was received here of the death of Henry R. Savage, Esq., Cashier of the Bank of Cape Fear.

Following so soon after the death of Dr. Wright, the President of the Bank, the loss of another, and one of the oldest and most highly valued officers of that institution, came upon the community with an increased shock, even although it was known that his health had been for some time very precarious, and that he had gone to the Virginia Springs with a view to the restoration of a constitution impaired, no doubt, by close and unremitting attention to the duties of his responsible position. The hopes based upon the restorative effects of the Springs were not realized, and he sunk under the malady under which he labored—an affection of the liver, we believe. His death occurred at the Allegheny Springs on Thursday last.

Mr. Savage was equally esteemed in private life as in his official position, and his loss will be felt by the whole community no less than by the institution with which he was connected. His remains arrived here on Monday morning, and were interred in Oakdale Cemetery.

Mexico.

It would seem as if, indeed, the angel of stupidity in *propria* person, had taken possession of the unfortunate conglomeration of colored people whom the world has mislaid into folly by acknowledging their independent nationality under the name of the Mexican Republic.

Not satisfied with being torn and rent by factions, being without credit or means, government or the power of making and maintaining one, without courage to fight or faith to observe the conditions imposed upon them by their conquerors, which any people may be who will take the trouble, embroiled with Europe and bankrupt in character, they must add another folly to the long list that seemed almost incapable of extension, and have actually, we believe, consented to take an offensive position towards their nearest neighbors of the Confederate States by agreeing to permit Federal troops to pass freely through their territory to attack the Confederate States. This is neither more nor less than an act of war, and if not immediately acted upon as such by the Confederacy, it will not be forgotten. This war will be over after a time and not so long a time either, and the Confederate States will then swarm with a brave and veteran soldiery, fully supplied with the most improved weapons of warfare and skilled in their use.—How long will it take to wipe out the *redne* mongrels who would conspire now against our independence?—Not long, we rather think, and Mexico and Mexicans may learn that it is good for them to have masters.

Tom Corwin.—Tom who once wanted the Bastille notes and the Santa Annas and the Padre Juanitas, and the other black, white, yellow and copper colored thieves of that contemptible free negro settlement to welcome our soldiers with bloody hands to hospitable graves—this same Tom Corwin has made the request and those now in authority in the City of Mexico have granted permission for the use of Mexican soil for purpose of hostility against us. It is true this permission does not affect us much beyond placing the frontiers of Texas in a little more exposed position, but the cost and risk to the United States would be greater in attempting to attack us through Mexico than it would be to come forward at once and meet us face to face, or else do now what they will have to do—make peace on fair terms and say no more about it.

As for recognition by England and France, much less by Mexico, that had better wait a while. It would not help us much now, unless it amounted to a war between the Lincoln government and the governments of Queen Victoria and Louis Napoleon, and this it would not do, for Lincoln would not be apt to make the point on that at the present time, nor would they seek it. We do not want their assistance or interference and yet without such in breaking up the blockade, the mere fact of recognition would be a shallow form. Mexico, we suppose, will stand on her dignity, and not only so show her recognition, but actually go so far as to show her ill-will. It behooves her to pray that the war may be long and the peace distant.

From Hatteras.

The brief announcement which we are enabled to make of the capture of the Federal Steamer Fanny, a vessel chartered by the Lincoln government, is meagre enough, since it gives hardly any details whatever, but it has one very great recommendation which too many sensational reports do not possess—it is perfectly reliable, and it is very encouraging so far as it goes.

We will probably soon hear more particulars and further news from that section. Rumours in circulation to the effect that an Indiana regiment had been landed on the mainland, and again that the same regiment had been landed on Roanoke Island, situated in the strait between Pamlico and Albemarle Sounds, seem to be wholly devoid of foundation—at least we fear so, for if their timidity should carry them that far, it would fail to carry them back again alive.

General Hill is in charge of the Northern portion of our coast, with his headquarters at Washington. Things are assuming a better aspect, and a feeling of security is gaining ground, while that of apathy is gone, and is succeeded by activity, energy, and preparation. Hatteras will prove to Lincoln a barren victory. In truth, however, it has already served its purpose in being paraded at the North as a brilliant achievement, where-withal to revive the drooping spirits of the North and attract attention from the long list of Federal failures elsewhere.

P. S. A gentleman who returned from Norfolk on Saturday, says that news reached there confirmatory of the landing of troops elsewhere than on Hatteras Banks—either on the mainland or on Roanoke Island. It is probably so.

Inter from Europe.

The Steamer Niagara arrived at Cape Race a few days ago, and brings Liverpool dates to the 22d ult.

LIVERPOOL COTTON MARKET, September 22.—The sales during the past week were unprecedentedly large. The sales on Saturday were 67,000 bales, at an advance of 1/4. The stock of American Cotton on hand at Liverpool is 490,000 bales.

HATERS COTTON MARKET.—Sales of the week 33,000 bales. GENERAL INTELLIGENCE.—The London Times sneers at the Federalists.

An attempt was made to assassinate the Queen of Greece. Prince Alfred came a passenger in the Niagara. The prize fight between a Syrian champion, and Maco, champion, took place near London. It lasted thirty minutes, and resulted in the complete triumph of Boyers.

We dislike to be the medium of anything like complaint against the gallant men who at this juncture have entered the service of their country for the defense of the State and the Confederacy. We know that all allowance ought to be made under the circumstances, and of course will be made, but still we must be allowed to question whether the encamping of two thousand soldiers within the corporate limits of a town like Wilmington will tend to exert a favorable influence upon the discipline of the companies, the health of the men, the good of the service. The great disturber, liquor, is all around, and easy to be got at, and it needs no argument to prove that men in camp, and it needs no argument, by way of making amends for home comfort, take a little too much "if it kills them" with regular spirits, or rather what they will do more than we can say. It is certain that we have heard of things which we must believe would not have occurred had the men not been in liquor, and which even that could not excuse them.

But we now wish to say as little as we can about this matter, contenting ourselves with calling the attention of those in authority to the existing evil, which we fear will continue to exist and grow unless the most stringent rules of discipline are enforced, or the companies are less exposed to the temptations to which they are subjected by their present location, or both.

The Sequestration Act.

As some misapprehension exists as to the operation of the Sequestration Act passed by the Provisional Congress of the Confederate States, at its session held at Richmond, we here quote the sixth section of that act, as its provisions bear directly upon the point in regard to which the most serious misapprehensions exist at present and around about here:—

Sec. 6. The duties of the Receiver are to take possession and control